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Attorneys for USACM Liquidating Trust

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re:	Case No. BK-S-06-10725-LBR
USA COMMERCIAL MORTGAGE COMPANY,	CHAPTER 11
Debtor.	**NOTICE OF HEARING RE AMENDED MOTION TO AMEND COURT'S ORDERS SUSTAINING OMNIBUS OBJECTIONS RE: THE FIESTA OAK VALLEY LOAN; AND CERTIFICATE OF SERVICE**
	Date of Hearing: November 15, 2011 Time of Hearing: 9:30 a.m. Estimated Time for Hearing: 10 minutes

THE USACM LIQUIDATING TRUST FILED A MOTION TO AMEND COURT'S ORDERS SUSTAINING OMNIBUS OBJECTIONS REGARDING THE FIESTA OAK VALLEY LOAN. YOU FILED A CLAIM THAT APPEARS TO BE BASED UPON AN INVESTMENT IN THE FIESTA OAK VALLEY LOAN. THIS MOTION SEEKS TO DETERMINE THE AMOUNT OF THAT CLAIM, 20 PERCENT OF WHICH HAS BEEN PROPSED TO BE ALLOWED BY THE COURT. THIS MOTION WILL NOT IMPACT YOUR CLAIM TO THE EXTENT IT IS BASED UPON AN INVESTMENT IN A DIFFERENT LOAN.

PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY COURT TO DISCUSS THE MERITS OF YOUR CLAIM. ADDRESS QUESTIONS

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REGARDING THE CLAIM TO UNDERSIGNED COUNSEL, JOHN HINDERAKER (520-629-4430).

NOTICE IS HEREBY GIVEN that the USACM Liquidating Trust, by and through its counsel, has filed its Motion to Amend Court's Orders Sustaining Omnibus Objections Re: The Fiesta Oak Valley Loan (with Certificate of Service) (the "Motion").

The USACM Liquidating Trust has already moved to allow 20% of the Fiesta Oak valley claims and that objection is pending before the Court. When the USACM Trust began to process the allowed claims for payment, it realized that it had a problem because your claim is proposed to be allowed by the Court in an "unknown" amount. In order for the USACM Liquidating Trust to make a distribution to you, the proposed allowed claim must be for a specific dollar amount. Thus, this Motion asks the Court to set the dollar amount of your claim at an amount equal to your principal investment in the Fiesta Oak Valley, or if we were unable to determine the amount, the amount was set at zero and you may provide documentation as to the amount of your principal investment.

NOTICE IS FURTHER GIVEN that the hearing on the Motion will be held before the Honorable Linda B. Riegle, U.S. Bankruptcy Court Judge in the Foley Federal Building, 300 Las Vegas Blvd. South, 3rd Floor, Courtroom No. 1, Las Vegas, Nevada on **November 15, 2011, at the hour of 9:30 a.m**.

NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON NOVEMBER 15, 2011, WILL BE HELD FOR THE PURPOSE OF STATUS CHECKS AND SCHEDULING EVIDENTIARY HEARINGS ONLY. NO ARGUMENTS WILL BE HEARD ON THAT DATE.

NOTICE IS FURTHER GIVEN that pursuant to Local Rule 9014(d), any response to the Motion must be filed and service must be completed no later than **fourteen (14) days** preceding the hearing date. The opposition must set forth all relevant facts and any relevant legal authority.

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1   If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading

2 with the Court. You *must* also serve your written response on the person who sent you this notice.

3   If you do not file a written response with the Court, or if you do not serve your written

4 response on the person who sent you this notice, then:

5   •   The Court may *refuse to allow you to speak* at the scheduled hearing; and

6   •   The Court may *rule against you* and grant the Motion without formally calling the

7   matter at the hearing.

8   DATED this 14th day of October, 2011.

9   LEWIS AND ROCA LLP

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11   By /s/ John Hinderaker (#18024)

12   Robert M. Charles Jr. NV 6593
                        John C. Hinderaker, AZ 18024 (*pro hac vice*)

13   3993 Howard Hughes Parkway, Suite 600
                     Las Vegas, Nevada 89169

14   Telephone: (702) 949-8200
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15   E-mail: jhinderaker@lrlaw.com

16   *Attorneys for the USACM Liquidating Trust*

17 Copy of the foregoing
mailed by first class postage prepaid

18 U.S. Mail on
October 14, 2011 to:

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20 The parties listed on Exhibit A attachéd
to the Motion

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22 LEWIS AND ROCA LLP

23 /s/Renee L. Creswell
Renee L. Creswell

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